

1 BILL NO. R-85-04- 28

2 RESOLUTION NO. R- 54-85

3 A RESOLUTION FINDING, DETERMINING AND RATIFYING A
4 PRELIMINARY RESOLUTION OF THE BOARD OF AVIATION
5 COMMISSIONERS OF THE CITY OF FORT WAYNE CONCERN-
6 ING THE ISSUANCE AND SALE OF THE CITY OF FORT
7 WAYNE AIRPORT REVENUE BONDS IN AN AMOUNT NOT TO
8 EXCEED \$3,500,000 FOR FACILITIES TO BE OWNED AND
9 OPERATED BY THE CITY OF FORT WAYNE, ACTING BY AND
10 THROUGH ITS BOARD OF AVIATION COMMISSIONERS, ON
11 BEHALF OF B.G.S.Q. BUILDING CORP. FOR LEASE TO
12 BURLINGTON NORTHERN AIR FREIGHT, INC., AND TO BE
13 LOCATED AT BAER FIELD MUNICIPAL AIRPORT.

14 WHEREAS, the City of Fort Wayne, Indiana (the "Issuer")
15 is authorized by I.C. 8-22-2 (the "Act") to issue revenue bonds
16 for the financing of construction, extensions, additions, or
17 improvements of an aircraft hangar or revenue producing building
18 or facility located or to be located on a municipal airport; and

19 WHEREAS, the Board of Aviation Commissioners of the
20 City of Fort Wayne (the "Board") proposes that the Issuer finance,
21 through the issuance of the City of Fort Wayne Airport Revenue
22 Bonds, Series 1985, in an amount not to exceed \$3,500,000, the
23 renovation, expansion and/or construction of hangar, distribution
24 and maintenance facilities on behalf of B.G.S.Q Building Corp.,
25 to be leased to Burlington Northern Air Freight, Inc., all to be
26 located at the Baer Field Municipal Airport (the "Project"); and

27 WHEREAS, the Board held a public hearing on the
28 proposed financing of the Project on April 23, 1985, following
29 notice published in the Journal-Gazette and News-Sentinel on
30 April 8, 1985, and having received the advice of the Board, it
31 would appear that the financing of the Project would be of public
32 benefit to the health, safety and general welfare of the Issuer
and its citizens.

33 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA:

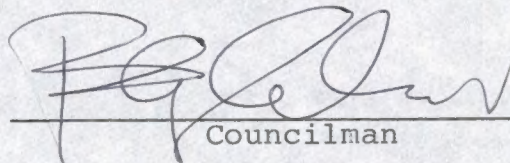
34 SECTION 1. The Common Council finds, determines, ratifies
and confirms that the issuance and sale of the City of Fort Wayne

1 Airport Revenue Bonds, Series 1985, in an amount not to exceed
2 \$3,500,000, under the Act for the acquisition, construction,
3 renovation and/or equipping of the Project will be of public benefit
4 to the health, safety and general welfare of the Issuer and its
5 citizens.

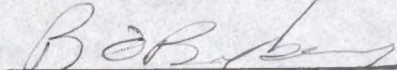
6 SECTION 2. In order to induce the Board to proceed with
7 the acquisition, construction, renovation and/or equipping of the
8 Project, the Common Council hereby finds, determines, ratifies and
9 confirms that: (i) it will take or cause to be taken such actions
10 pursuant to the Act as may be required to implement the aforesaid
11 financing, or as it may deem appropriate in pursuance thereof,
12 provided that all of the foregoing shall be mutually acceptable
13 to the Issuer and the Board; and (ii) it will authorize the execu-
14 tion and delivery of such instruments and the taking of such
15 action as may be necessary and advisable for the authorization,
16 issuance and sale of said Airport Revenue Bonds.

17 SECTION 3. All costs of the Project incurred after the
18 passage of this Resolution, including disbursement or repayment
19 to the Board of monies expended by the Board for planning, engin-
20 eering and architectural fees and expenses, interest paid during
21 construction, underwriting expenses, attorney and bond counsel
22 fees, and the costs of acquisition, construction, renovation and
23 equipping of the Project, will be permitted to be included as part
24 of the bond issue to finance the Project.

25 SECTION 4. It is the intention of the Common Council
26 that its adoption of this Resolution shall satisfy the Public
27 Approval Requirement under subsection (k) of Section 103 of the
28 Internal Revenue Code of 1954, as amended.

29 
30 _____
Councilman

31 APPROVED AS TO FORM AND LEGALITY:

32 

Bruce O. Boxberger, City Attorney
Dated this 15th day of April, 1985

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5 COMMISSIONERS OF THE CITY OF FORT WAYNE CONCERN-
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28 Internal Revenue Code of 1954, as amended.

29
30 _____
Councilman

31 APPROVED AS TO FORM AND LEGALITY:

32 B. O. Boxberger
Bruce O. Boxberger, City Attorney

Dated this 15th day of April, 1985

Read the first time in full and on motion by Eisbark, seconded by Slaw, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 4-16-85

Nadyla Eskoff
SANDRA E. KENNEDY, CITY CLERK
Nadyla Eskoff, Chief Deputy

Read the third time in full and on motion by Eisbark, seconded by Slaw, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-23-85

Nadyla Eskoff
SANDRA E. KENNEDY, CITY CLERK
Nadyla Eskoff, Chief Deputy

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. R-54-85

on the 23rd day of April, 1985,

ATTEST:

(SEAL)

Nadyla Eskoff
SANDRA E. KENNEDY, CITY CLERK
Nadyla Eskoff, Chief Deputy

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1985, at the hour of 11:30 o'clock A.M., E.S.T.

Nadyla Eskoff
SANDRA E. KENNEDY, CITY CLERK
Nadyla Eskoff, Chief Deputy

Approved and signed by me this 25th day of April, 1985, at the hour of 9:02 o'clock A.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

BILL NO. R-85-04-28

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN ~~(ORDINANCE)~~ (RESOLUTION) FINDING, DETERMINING AND RATIFYING

A PRELIMINARY RESOLUTION OF THE BOARD OF AVIATION COMMISSIONERS OF
THE CITY OF FORT WAYNE CONCERNING THE ISSUANCE AND SALE OF THE CITY OF
FORT WAYNE AIRPORT REVENUE BONDS IN AN AMOUNT NOT TO EXCEED
\$3,500,000 FOR FACILITIES TO BE OWNED AND OPERATED BY THE CITY OF
FORT WAYNE, ACTING BY AND THROUGH ITS BOARD OF AVIATION
COMMISSIONERS, ON BEHALF OF B.C.S.Q. BUILDING CORP. FOR LEASE TO
BURLINGTON NORTHERN AIR FREIGHT, INC., AND TO BE LOCATED AT
BAER FIELD MUNICIPAL AIRPORT

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(RESOLUTION) DO PASS DO NOT PASS WITHDRAWN
YES NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

SAMUEL J. TALARICO

THOMAS C. HENRY

JAMES S. STIER

CONCURRED IN 4-23-86

SANDRA E. KENNEDY
CITY CLERK